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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,539	11/07/2000	Alistair K C Scott	10010022	9792

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EXAMINER	
TRAN, QUOC DUC	
ART UNIT	**PAPER NUMBER**
2643	6

DATE MAILED: 04/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/707,539	SCOTT ET AL.	
	Examiner	Art Unit	
	Quoc D Tran	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 February 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 11-18* is/are rejected.

7)☒ Claim(s) *9,10,19 and 20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-8 and 11-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Peschel et al (6,385,444).

Consider claim 1, Peschel et al teach a computer operable method for correlating call data records in a telephone system, comprising the steps of selecting a first and second call records, providing the call records comprise call characteristic information created in the telephone system and providing the call records identify same called station; and establishing whether first and second call records are correlated (col. 6 lines 8-51; col. 7 lines 47-59).

Consider claim 2, Peschel et al teach a computer operable method providing selected first and second call records arrive at a central data repository within a first time difference (col. 6 lines 26-33; col. 8 lines 14-37).

Consider claim 3, Peschel et al teach a computer operable providing when an originating point code of first and second call records is used to establish whether the call records are correlated, wherein the originating point code identifies an origination signaling transfer point having capability of transferring call set-up messages between two signaling path segments, the method step for establishing whether the first and second call records are correlated comprises: when the originating point codes of first and second call records are different, identifying first and second call records as uncorrelated; otherwise, identifying first and second call records as correlated (col. 7 line 30 – col. 9 line 23).

Consider claim 4, Peschel et al teach a computer operable method providing when a destination point code of first and second call records is used to establish whether the call records are correlated, wherein the destination point code identifies a destination signaling transfer point having capability of transferring call set-up messages between two signaling path segments, the method step for establishing whether the first and second call records are correlated comprises: when the destination point codes of first and second call records are different, identifying first and second call records as uncorrelated; otherwise, identifying first and second call records as correlated (col. 7 line 30 – col. 9 line 23).

Consider claim 5, Peschel et al teach a computer operable method providing first and second call data records are members of a group of call data records whose arrival at the central

data repository was after a first preselected time and before a second preselected time (col. 7 lines 50-65).

Consider claim 6, Peschel et al teach a computer operable method providing first and second call data records are members of a group of call data records whose called numbers have an identical value in at least one preselected digit position (col. 7 line 50 – col. 8 line 13).

Consider claim 7, Peschel et al teach a computer operable method steps further comprising: when the first and second data records are identified as correlated, copying at least one data field from the first data record to the second data record (col. 8 lines 18-26; col. 9 lines 14-23).

Consider claim 8, Peschel et al teach a computer operable method steps further comprising: when the first and second data records are identified as correlated, copying at least one data field from the second data record to the first data record (col. 8 lines 18-26; col. 9 lines 14-23).

Consider claim 11, Peschel et al teach a computer program storage medium readable by a computer, tangibly embodying a computer program of instructions executable by the computer to perform method steps for correlating call data records in a telephone system, the steps comprising: selecting a first and second call records, providing the call records comprise call characteristic information created in the telephone system and providing the call records identify same called station; and establishing whether first and second call records are correlated (col. 6 lines 8-51; col. 7 lines 47-59).

Consider claim 12, Peschel et al teach a computer program storage medium wherein selected first and second call records arrive at a central data repository within a first time difference (col. 6 lines 26-33; col. 8 lines 14-37).

Consider claim 13, Peschel et al teach a computer program storage medium wherein when an originating point code of first and second call records is used to establish whether the call records are correlated, wherein the originating point code identifies an origination signaling transfer point having capability of transferring call set-up messages between two signaling path segments, the method step for establishing whether the first and second call records are correlated comprising: when the originating point codes of first and second call records are different, identifying first and second call records as uncorrelated; otherwise, identifying first and second call records as correlated (col. 7 line 30 – col. 9 line 23).

Consider claim 14, Peschel et al teach a computer program storage medium wherein when a destination point code of first and second call records is used to establish whether the call records are correlated, wherein the destination point code identifies a destination signaling transfer point having capability of transferring call set-up messages between two signaling path segments, the method step for establishing whether the first and second call records are correlated comprising: when the destination point codes of first and second call records are different, identifying first and second call records as uncorrelated; otherwise, identifying first and second call records as correlated (col. 7 line 30 – col. 9 line 23).

Consider claim 15, Peschel et al teach a computer program storage medium wherein first and second call data records are members of a group of call data records whose arrival at the

central data repository was after a first preselected time and before a second preselected time (col. 7 lines 50-65).

Consider claim 16, Peschel et al teach a computer program storage medium wherein first and second call data records are members of a group of call data records whose called numbers have an identical value in at least one preselected digit position (col. 7 line 50 – col. 8 line 13).

Consider claim 17, Peschel et al teach a computer program storage medium method steps further comprising: when the first and second data records are identified as correlated, copying at least one data field from the first data record to the second data record (col. 8 lines 18-26; col. 9 lines 14-23).

Consider claim 18, Peschel et al teach a computer program storage medium method steps further comprising: when the first and second data records are identified as correlated, copying at least one data field from the second data record to the first data record (col. 8 lines 18-26; col. 9 lines 14-23).

Allowable Subject Matter

3. Claims 9-10 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed 2/8/2004 have been fully considered but they are not persuasive.

In response to applicant argument that Peschel fails to disclose, teach or suggest applicant claimed feature of "selecting a first and second call records, providing the call records comprise

call characteristic information created in the telephone system and providing the call records identify same called station; and establishing whether first and second call records are correlated". Accordingly, the examiner respectfully disagrees with applicant argument.

Applicant invention called for a method for correlate call data records in a telephone system from various segments as to *increase billing accuracy* (see abstract). Peschel et al on the other hand also suggest the method for checking the accuracy of billing records. Thus, Peschel et al and present invention attempt to solve a same problem, mainly, accuracy of the billing data. Peschel et al recited on column 7 "the call data records 10a, 10b are selected", which clearly read on applicant limitation for selecting a first and second call records. Peschel et al further suggested on column 7, "data records in which this information matches, are subsequently compared regarding the telephone number of the sending/answering station contain therein". Thus, this passage clearly read on applicant claimed limitation of call characteristic information created in the telephone system and providing the call records identify the same called station. Peschel et al suggested, "if these also matches...CDR_S/CDR_A pairs are group together as reference data records pairs...Call data records which are not identical are sorted according to data types. Thus, this also read on applicant feature of establishing whether first and second call records are correlated. Therefore, Peschel et al disclosure clearly read on applicant features as claimed.

In response to applicant argument that nowhere does Peschel disclose the limitation of first and second call record that corresponding to the same call arriving within a first time difference. Accordingly, the examiner respectfully disagrees. Peschel et al suggested that call data record form the sending station and the answering station each includes start time, end time

and duration of the call. Call data records are sorted by data and time of the call. Data records in which this information matches are comparing regarding the telephone number of the sending/answering station contain therein. To compare call data between sending station and answering station for the same call, call data record within that same time frame must be properly selected for a correct match of the pair of call data record. Therefore, Peschel et al clearly read on applicant limitation as claimed.

In response to applicant argument that nowhere does Peschel disclose the limitation of an originating point code of first and second call records. Accordingly, the examiner respectfully disagrees. Peschel et al suggested that teach of the CDR data consist of communication parameters such as start time of the communication, end time or duration of the communication, the location of the communication (communication origin and destination) (see col. 6). Thus, the location of the communication corresponding a point code that enable the system to recognize where the location take place. Therefore, call data record 10a and 10b both include origin and destination of the call. Therefore, Peschel et al clearly read on applicant limitation as claimed.

In response to applicant argument that nowhere does Peschel disclose the limitation of a destination point code of first and second call records. Accordingly, the examiner respectfully disagrees. Peschel et al suggested that teach of the CDR data consist of communication parameters such as start time of the communication, end time or duration of the communication, the location of the communication (communication origin and destination) (see col. 6). Thus, the location of the communication corresponding a point code that enable the system to recognize where the location take place. Therefore, call data record 10a and 10b both include origin and destination of the call. Therefore, Peschel et al clearly read on applicant limitation as claimed.

In response to applicant argument that nowhere does Peschel disclose the limitation of the arrival of first and second call data records associated with a single call whose arrival at the central repository was after a first pre-selected time and before a second pre-selected time. Accordingly, the examiner respectfully disagrees. Peschel et al suggested that call data record form the sending station and the answering station each includes start time, end time and duration of the call. Call data records are sorted by data and time of the call. Data records in which this information matches are comparing regarding the sending/answering station contain therein. To compare call data between sending station and answering station for the same call, call data record *within that same time frame must be properly selected for a correct match* of the pair of call data record. Therefore, Peschel et al clearly read on applicant limitation as claimed.

In response to applicant argument that nowhere does Peschel disclose the limitation of a group of call data records pertaining to the same call where the call numbers have an identical value in at least one pre-selected digit position. Accordingly, the examiner respectfully disagrees. Peschel et al suggested that call data record form the sending station and the answering station each includes start time, end time and duration of the call. Call data records are sorted by data and time of the call. Data records in which this information matches are ***comparing regarding the telephone number of the sending/answering station contain therein***. To compare call data between sending station and answering station for the same call, call data record having the same telephone number must be properly selected for a correct match of the pair of call data record. Therefore, Peschel et al clearly read on applicant limitation as claimed.

In response to applicant argument that no where does Peschel disclose the limitation of copying at least one data field from the first data record to the second data record. Accordingly,

the examiner respectfully disagrees with applicant argument. Peschel et al suggested that a reference data records CDR_S/CDR_A were created by pairing up the data record CDR_S with CDR_A (see col. 7 line 30). This implies that the parameters of call data record from the sending station is combining with the parameters of the call data record of the answering station to form a reference data record. Thus, by combining the data record between the answering and the sending station, the parameters are copied into one another. Therefore, Peschel et al read on applicant's limitation as claimed.

In response to applicant argument that no where does Peschel disclose the limitation of copying at least one data field from the second data record to the first data record. Accordingly, the examiner respectfully disagrees with applicant argument. Peschel et al suggested that a reference data records CDR_S/CDR_A were created by pairing up the data record CDR_S with CDR_A (see col. 7 line 30). This implies that the parameters of call data record from the sending station is combining with the parameters of the call data record of the answering station to form a reference data record. Thus, by combining the data record between the answering and the sending station, the parameters are copied into one another. Therefore, Peschel et al read on applicant's limitation as claimed.

Applicant goes on and argues for the same reason as addresses above. Therefore, he response will be the same as the above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Facsimile responses should be faxed to:
(703) 872-9306

Hand-delivered responses should be brought to:
Crystal Park II, 2121 Crystal Drive
Arlington. VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.

Quoc D. Tran
Patent Examiner AU 2643
April 12, 2004